OIPE JC174
JUL 27 2004
PATENT & TRADEMARK OFFICE

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

TAKENOUCHI, KAZUYA, et al.

Docket No: Q67009

Appln. No.: 10/035,251

Group Art Unit: 1616

Confirmation No.: 4355

Examiner: Sabiha Naim Oazi

Filed: January 04, 2002

For: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY RESPIRATORY DISEASE USING SAME

REQUEST FOR INITIALED PTO-1449 AND PTO/SB/08 FORMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

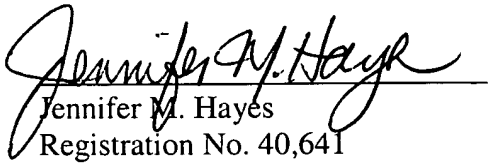
Sir:

Applicants hereby respectfully request the Examiner to confirm that the references submitted with Applicants' Information Disclosure Statement filed January 4, 2002 (copy enclosed with date-stamped filing receipt) has been considered by providing Applicants with an initialed copy of the PTO Form 1449 listing these references. Applicants note that page 1 of the PTO-1449 filed on January 4, 2002 has been initialed and returned. However, page 2 of the PTO-1449, listing six U.S. references, one Foreign reference and thirteen Other Documents, has not been initialed. Applicants respectfully request the Examiner to initial and return page 2 of the PTO-1449 filed on January 4, 2002.

Further, Applicants note that an initialed copy of the PTO/SB/08 Form submitted with the Information Disclosure Statement filed on May 9, 2003, has not been returned. A copy of the PTO/SB/08 and date-stamped filing receipt is attached for the Examiner's convenience. Accordingly, Applicants' respectfully request that an initialed copy of the PTO/SB/08 Form is returned for Applicants records.

Initialed copies of these documents can be returned via facsimile to (202) 293-7860 for the Examiner's convenience.

Respectfully submitted,



Jennifer M. Hayes
Registration No. 40,641

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: July 27, 2004

OIPE JC174
JUL 27 2004
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FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

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Appln. No.: 10/035,251

Group Art Unit: 1616

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PAPER(S) FILED ENTITLED:

1. Information Disclosure Statement (with authorization to charge fee of $180.00 to Deposit Account, a copy of Communication from a foreign patent office, references, PTO/SB/08 A & B (modified))
2. Statement Under 37 C.F.R. § 1.97(e)

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WASHINGTON OFFICE



23373
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DOCKET NO.: Q67009
ATTORNEY/SEC: SJM/JMH/sls
Date Filed: May 9, 2003

OIPE JC34
MAY 09 2003
PATENT & TRADEMARK OFFICE

OIPE JC174
JUL 27 2004
PATENT & TRADEMARK OFFICE

PATENT APPLICATION

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Examiner: Sabiha Naim Oazi

Filed: January 4, 2002

For: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY RESPIRATORY DISEASE USING SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

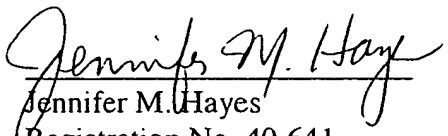
One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of $180.00 under 37 C.F.R. § 1.17(p), and a Statement Under

37 C.F.R. § 1.97(e). The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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WASHINGTON OFFICE



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PATENT TRADEMARK OFFICE

Date: May 9, 2003

OIPE JC174 JUL 27 2004 PATENT & TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Telephone: (202) 293-7060
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WASHINGTON OFFICE

23373

PATENT TRADEMARK OFFICE

Date: May 9, 2003

Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

OIPE JC17 JUL 27 2004 PATENT & TRADEMARK OFFICE

Sheet	1	of	1

Complete if Known	
Application Number	10/035,251
Confirmation Number	4355
Filing Date	January 4, 2002
First Named Inventor	TAKENOUCHI, KAZUYA
Art Unit	1616
Examiner Name	Sabiha Naim Oazi
Attorney Docket Number	Q67009

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number	Document Number: Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3]	Foreign Patent Document: Number[4]	Foreign Patent Document: Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation[6]
		GB	2 260 904	A	05/05/93	Leo Pharmaceutical Products Ltd A/S	

OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation[6]
		EPO Communication	
		Abstract, XP 002226140, JP 10/087,495, 04/07/98	
		Abstract, XP 002226141, JP 08/092,098, 04/09/96	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to indicate here if English language Translation is attached.

OIPE JC174
JUL 27 2004
PATENT & TRADEMARK OFFICE

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REQUEST OF EARLY NOTIFICATION OF SERIAL NUMBER

Inventor(s): TAKENOUCHI, Kazuya; GAO, Qingzhi; MANABE, Kenja; SOGAWA, Ryo; ISHIZUKA, Seiichi and TAKANO, Yasuhiro

Title: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY RESPIRATORY DISEASE USING SAME

Atty Doc. #: Q67009 Client: TEIJIN LIMITED

Filing Date: January 4, 2002 # Pgs. Spec/Abst: 169 #Claims: _23

Dwg. Sheets: NONE Decl Parent Prelim Amdt YES

IDS/Prior Art: YES Pr Doc: Parent Asgmt: Parent Fee: $1074.00

Check Attached X Charge to Deposit # 19-4880 Atty/Sec: SJM/ddw

SERIAL NO.: CONF NO.:

OIPE JC63
JAN 04 2002
PATENT & TRADEMARK OFFICE